

SOLICITOR

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	APR 17 2008	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 08-01950 HRL	DATE FILED 4/14/2008	U.S. DISTRICT COURT Northern District of California, 280 South First Street, San Jose, CA 95113
PLAINTIFF SEAGATE TECHNOLOGY LLC		DEFENDANT STEC INC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,404,647		SEE ATTACHED COMPLAINT
2 6,849,480		
3 6,336,174		
4 7,042,664		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Richard W. Wieking	(BY) DEPUTY CLERK Betty Walton	DATE April 15, 2008
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Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

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5 *Attorneys for Plaintiffs Seagate Technology LLC,*
6 *Seagate Technology International, Seagate Singapore*
7 *International Headquarters Pte. Ltd., and Maxtor Corporation*

E-filing

ORIGINAL
FILED
APR 14 2008
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

HRL

10 SEAGATE TECHNOLOGY LLC, a
Delaware limited liability company;
11 SEAGATE TECHNOLOGY
12 INTERNATIONAL, a Cayman Islands
company; SEAGATE SINGAPORE
13 INTERNATIONAL HEADQUARTERS
PTE. LTD., a Singapore corporation; and
14 MAXTOR CORPORATION, a Delaware
15 corporation,

16 Plaintiffs,

17 v.

18 STEC, Inc., a California corporation.

19 Defendant.
20

CV No. 08

1950

COMPLAINT FOR PATENT
INFRINGEMENT
(DEMAND FOR JURY TRIAL)

21 Plaintiffs Seagate Technology LLC, Seagate Technology International, Seagate
22 Singapore International Headquarters Pte. Ltd. (collectively, "the Seagate Plaintiffs"), and
23 Maxtor Corporation ("Maxtor") (collectively, "Plaintiffs") hereby complain against STEC,
24 Inc. ("STEC") for patent infringement, as follows:

25 PARTIES

26 1. Plaintiff Seagate Technology LLC is a limited liability company organized and
27 existing under the laws of the state of Delaware, with its principal place of business in Scotts
28

1 Valley, California.

2 2. Plaintiff Seagate Technology International is a company organized and existing
3 under the laws of the Cayman Islands, with its principal place of business in the Cayman
4 Islands.

5 3. Plaintiff Seagate Singapore International Headquarters Pte. Ltd. is a corporation
6 organized and existing under the laws of Singapore, with its principal place of business in
7 Singapore.

8 4. Plaintiff Maxtor is a corporation organized and existing under the laws of the
9 state of Delaware, with its principal place of business in Scotts Valley, California.

10 5. On information and belief, defendant STEC, Inc. ("STEC") is an active
11 corporation organized and existing under the laws of the state of California, with its principal
12 place of business in Santa Ana, California.

13 JURISDICTION AND VENUE

14 6. This is an action for patent infringement arising under the patent laws of the
15 United States, 35 U.S.C. §§ 271 *et seq.* This Court has subject matter jurisdiction pursuant to
16 28 U.S.C. §§ 1331 and 1338(a).

17 7. Defendant STEC is subject to this Court's personal jurisdiction, and venue is
18 proper in this District, because, on information and belief, STEC (a) is incorporated in and
19 has its principal place of business in California; (b) does substantial business in this District;
20 (c) has an established sales office in this District; (d) sells and offers for sale infringing
21 products in this District; and (e) regularly solicits business from, does business with, and
22 derives revenue from goods and services provided to, customers in this District.

23 INTRADISTRICT ASSIGNMENT

24 8. Pursuant to Civil Local Rule 3-2(c), this action is to be assigned on a District-
25 wide basis, and Plaintiffs therefore have not listed a Division in this Complaint.

26 GENERAL ALLEGATIONS

27 9. The Seagate Plaintiffs are the sole holders of the entire right, title, and interest
28 in United States Patent No. 6,404,647 (the "'647 Patent"), entitled "SOLID-STATE MASS

1 MEMORY STORAGE DEVICE,” issued on June 11, 2002. A true and correct copy of the
2 ‘647 Patent is attached hereto as Exhibit A.

3 10. The Seagate Plaintiffs are the sole holders of the entire right, title, and interest
4 in United States Patent No. 6,849,480 (the “‘480 Patent”), entitled “SURFACE MOUNT IC
5 STACKING METHOD AND DEVICE,” issued on February 1, 2005. A true and correct
6 copy of the ‘480 Patent is attached hereto as Exhibit B.

7 11. Plaintiff Maxtor is the sole holder of the entire right, title, and interest in United
8 States Patent No. 6,336,174 (the “‘174 Patent”), entitled “HARDWARE ASSISTED
9 MEMORY BACKUP SYSTEM AND METHOD,” issued on January 1, 2002. A true and
10 correct copy of the ‘174 Patent is attached hereto as Exhibit C.

11 12. The Seagate Plaintiffs are the sole holders of the entire right, title, and interest
12 in United States Patent No. 7,042,664 (the “‘664 Patent”), entitled “METHOD AND
13 SYSTEM FOR HOST PROGRAMMABLE DATA STORAGE DEVICE SELF-TESTING,”
14 issued on May 9, 2006. A true and correct copy of the ‘664 Patent is attached hereto as
15 Exhibit D.

16 **FIRST CLAIM**
17 **INFRINGEMENT OF THE ‘647 PATENT**
18 **(35 U.S.C. §§ 271 ET SEQ.)**

19 13. Plaintiffs refer to and incorporate paragraphs 1 through 12 inclusive, as though
20 fully set forth herein.

21 14. Plaintiffs are informed and believe and thereon allege that STEC has been and
22 is now infringing the ‘647 Patent, directly and/or indirectly, by making, using, selling and/or
23 offering for sale in and/or importing into the United States without authority products,
24 including, without limitation, STEC’s Zeus and Zeus^{10PS} Solid State Drive products, STEC’s
25 MACH8 Solid State Drive products, and STEC’s IDE Flash Drive 2.5” (FLD) products. On
26 information and belief, STEC’s infringement as described in this paragraph is continuing.

27 15. On information and belief, STEC’s infringement as described in Paragraph 14
28 has been and is willful.

16. By reason of STEC’s acts alleged herein, Plaintiffs have suffered damage in an

1 amount to be proved at trial.

2 17. On information and belief, STEC's continuing infringement as described in
3 Paragraph 14 has caused and will continue to cause Plaintiffs irreparable harm unless
4 enjoined by this Court. Plaintiffs have no adequate remedy at law.

5 **SECOND CLAIM**
6 **INFRINGEMENT OF THE '480 PATENT**
7 **(35 U.S.C. §§ 271 ET SEQ.)**

8 18. Plaintiffs refer to and incorporate paragraphs 1 through 17 inclusive, as though
9 fully set forth herein.

10 19. Plaintiffs are informed and believe and thereon allege that STEC has been and
11 is now infringing the '480 Patent, directly and/or indirectly, by making, using, selling and/or
12 offering for sale in and/or importing into the United States without authority products,
13 including, without limitation STEC's Zeus and Zeus^{IOPS} Solid State Drive products, and
14 certain memory products, including without limitation, STEC's SDRAM modules, STEC's
15 DDR modules, and STEC's DDR2 modules. On information and belief, STEC's
16 infringement as described in this paragraph is continuing.

17 20. On information and belief, STEC's infringement as described in Paragraph 19
18 has been and is willful.

19 21. By reason of STEC's acts alleged herein, Plaintiffs have suffered damage in an
20 amount to be proved at trial.

21 22. On information and belief, STEC's continuing infringement as described in
22 Paragraph 19 has caused and will continue to cause Plaintiffs irreparable harm unless
23 enjoined by this Court. Plaintiffs have no adequate remedy at law.

24 **THIRD CLAIM**
25 **INFRINGEMENT OF THE '174 PATENT**
26 **(35 U.S.C. §§ 271 ET SEQ.)**

27 23. Plaintiffs refer to and incorporate paragraphs 1 through 22 inclusive, as though
28 fully set forth herein.

29 24. Plaintiffs are informed and believe and thereon allege that STEC has been and
30 is now infringing the '174 Patent, directly and/or indirectly, by making, using, selling and/or

1 offering for sale in and/or importing into the United States without authority products,
2 including, without limitation, STEC's Zeus^{IOPS} Solid State Drive products. On information
3 and belief, STEC's infringement as described in this paragraph is continuing.

4 25. On information and belief, STEC's infringement as described in Paragraph 24
5 has been and is willful.

6 26. By reason of STEC's acts alleged herein, Plaintiffs have suffered damage in an
7 amount to be proved at trial.

8 27. On information and belief, STEC's continuing infringement as described in
9 Paragraph 24 has caused and will continue to cause Plaintiffs irreparable harm unless
10 enjoined by this Court. Plaintiffs have no adequate remedy at law.

11 **FOURTH CLAIM**
12 **INFRINGEMENT OF THE '664 PATENT**
13 **(35 U.S.C. §§ 271 ET SEQ.)**

14 28. Plaintiffs refer to and incorporate paragraphs 1 through 27 inclusive, as though
15 fully set forth herein.

16 29. Plaintiffs are informed and believe and thereon allege that STEC has been and
17 is now infringing the '664 Patent, directly and/or indirectly, by making, using, selling and/or
18 offering for sale in and/or importing into the United States without authority products,
19 including, without limitation, STEC's Zeus and Zeus^{IOPS} Fibre Channel Solid State Drive
20 products. On information and belief, STEC's infringement as described in this paragraph is
21 continuing.

22 30. On information and belief, STEC's infringement as described in Paragraph 29
23 has been and is willful.

24 31. By reason of STEC's acts alleged herein, Plaintiffs have suffered damage in an
25 amount to be proved at trial

26 32. On information and belief, STEC's continuing infringement as described in
27 Paragraph 29 has caused and will continue to cause Plaintiffs irreparable harm unless
28 enjoined by this Court. Plaintiffs have no adequate remedy at law.

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PRAYER

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment in its favor and grant the following relief:

33. Adjudge that STEC has been and is infringing one of more claims of the '647, '480, '174, and '664 Patents;

34. Adjudge that STEC's infringement has been willful;

35. Enter an Order, pursuant to 35 U.S.C. § 283, temporarily, preliminarily, and permanently enjoining STEC and all persons in active concert or participation with it, from any further acts of infringement of the Patents identified in Paragraph 33, above;

36. Order an accounting for damages resulting from STEC's infringement of the Patents identified in paragraph 33 of this Complaint;

37. Enter an Order, pursuant to 35 U.S.C. § 284, awarding Plaintiffs damages adequate to compensate Plaintiffs for STEC's infringement, but in no event less than a reasonable royalty together with pre-judgment and post-judgment interest;

38. Enter an Order, pursuant to 35 U.S.C. § 284, and based on STEC's willful infringement, trebling all damages awarded to Plaintiffs and against STEC;

39. Enter an Order, pursuant to 35 U.S.C. § 285, finding that this is an exceptional case and awarding to Plaintiffs their reasonable attorneys' fees incurred in this action; and

40. Awarding such other relief as the Court may deem appropriate and just under the circumstances.

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DATED: April 14, 2008

By

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